## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

KAREN CATTO,	)	
Plaintiff,	)	
v.	)	Case No. 4:20-CV-1727 SRW
KILOLO KIJAKAZI, Acting Commissioner of Social Security	) )	
Administration,	)	
Defendant.	)	

## MEMORANDUM AND ORDER

On May 20, 2022, Plaintiff Karen Caito filed an Application for Award of Attorney's Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. ECF No. 30. In the motion, Plaintiff requests she be awarded \$5,720.34 for fees, representing a total of 26.1 hours of attorney work at the hourly rate of \$219.17. On May 31, 2022, the Commissioner filed a response indicating, "After discussions with Plaintiff's counsel, Plaintiff and Defendant have agreed to an award of EAJA fees and expenses in the amount of \$5,671.45." ECF No. 32. No reply has been filed.

The Court has an independent duty to review the reasonableness of an EAJA award. *See* 28 U.S.C. § 2412(d)(2)(A) (requiring the Court to find that attorney's fees in excess of \$125.00 per hour are justified by an increase in the cost of living or a special factor such as the limited availability of qualified attorneys). Because Plaintiff has not filed a reply to the Commissioner's assertion of a lower award, the Court will direct her to file a statement as to whether she does, in fact, consent to the reduced amount and include a revised calculation of fees.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff shall file a reply on or before June 29, 2022. The reply should indicate whether Plaintiff consents to the reduced amount and include a revised

calculation of fees.

So Ordered this 21st day of June, 2022.

TIPHEN R. WELB

UNITED STATES MAGISTRATE JUDGE